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HOUSE MEMORIAL 45

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Ben Lujan

A MEMORIAL

URGING THE NEW MEXICO CONGRESSIONAL DELEGATION TO EXERT  
PRESSURE ON THE UNITED STATES DEPARTMENT OF ENERGY TO ENSURE  
THE CLEANUP OF RADIOACTIVE, HAZARDOUS AND TOXIC WASTE AT LOS  
ALAMOS NATIONAL LABORATORY AND SURROUNDING AREAS.

WHEREAS, Los Alamos national laboratory has served our  
country for over sixty-five years; and

WHEREAS, many scientific breakthroughs have been achieved  
at Los Alamos national laboratory that could not have been  
accomplished without the full and complete dedication of New  
Mexicans who work every day at the laboratory; and

WHEREAS, sixty-five years of operations in plutonium  
processing, plutonium pit manufacturing, explosives testing and  
chemical and materials science research have generated more  
than eighteen million cubic feet of hazardous, toxic and

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1 radioactive waste that is buried in unlined pits, trenches and  
2 shafts at Los Alamos national laboratory; and

3 WHEREAS, Senators Bingaman and Udall were members of a  
4 bipartisan group of eight United States senators who called for  
5 six billion dollars (\$6,000,000,000) in economic recovery  
6 package funds to be dedicated to "shovel-ready" cleanup  
7 projects at existing United States department of energy sites,  
8 including Los Alamos national laboratory; and

9 WHEREAS, the federal American Recovery and Reinvestment  
10 Act of 2009 contains funding for the cleanup of toxic waste at  
11 facilities such as Los Alamos national laboratory, including  
12 funding for the creation of new jobs to accomplish the cleanup;  
13 and

14 WHEREAS, the United States department of energy will have  
15 discretion to determine funding allocations for its cleanup  
16 sites; and

17 WHEREAS, Article 20, Section 21 of the constitution of New  
18 Mexico states that "the protection of the state's beautiful and  
19 healthful environment is hereby declared to be of fundamental  
20 importance to the public interest, health, safety and the  
21 general welfare" and calls for the establishment and  
22 implementation of environmental laws and regulations to protect  
23 the state's citizens; and

24 WHEREAS, local, state and federal government agencies have  
25 a responsibility to protect the public health and welfare by

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1 setting regulations and enforcing laws that protect water  
2 resources; and

3 WHEREAS, as of 2002, it is estimated that more than seven  
4 hundred million dollars (\$700,000,000) has been spent by the  
5 United States department of energy on cleanup efforts at Los  
6 Alamos national laboratory; and

7 WHEREAS, much of the funding was spent on investigations  
8 and preliminary studies and not on actual contamination  
9 removal; and

10 WHEREAS, the United States department of energy estimates  
11 that more than two billion dollars (\$2,000,000,000) in  
12 additional funding is necessary for the cleanup at Los Alamos  
13 national laboratory; and

14 WHEREAS, the Cerro Grande fire, which occurred in May  
15 2000, burned over seven thousand acres of Los Alamos national  
16 laboratory property, resulting in the migration of plutonium  
17 and other contaminants, at levels not seen since the 1960s,  
18 through the watersheds to the Rio Grande; and

19 WHEREAS, on March 1, 2005, New Mexico's department of  
20 environment and the United States department of energy signed  
21 an administrative "Order on Consent" to address legacy waste at  
22 Los Alamos national laboratory, setting a timetable for  
23 cleanup; and

24 WHEREAS, the New Mexico department of environment, the  
25 United States department of energy, Los Alamos national

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1 laboratory, nongovernmental organizations and individuals are  
2 negotiating the renewal of a ten-year permit for ongoing  
3 hazardous waste operations at Los Alamos national laboratory  
4 that is intended to demonstrate compliance with the federal  
5 Resource Conservation and Recovery Act permit of 1976; and

6 WHEREAS, workers that are thoroughly and properly trained  
7 will sustain fewer injuries and be involved in fewer accidents;  
8 and

9 WHEREAS, well-trained workers will be a valuable asset and  
10 create a local work force able to provide expertise at other  
11 cleanup sites; and

12 WHEREAS, healthy communities and ecosystems require clean,  
13 innovative and life-affirming science and technology that will  
14 benefit the economy, the future and the health of all;

15 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
16 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico  
17 congressional delegation be urged to exert pressure on the  
18 United States department of energy to ensure the cleanup of  
19 radioactive, hazardous and toxic waste at the Los Alamos  
20 national laboratory and surrounding areas; and

21 BE IT FURTHER RESOLVED that the members of the New Mexico  
22 congressional delegation use their influence to ensure that  
23 funding provided in the federal American Recovery and  
24 Reinvestment Act of 2009 be utilized for the cleanup of toxic  
25 waste at Los Alamos national laboratory; and

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1 BE IT FURTHER RESOLVED that the New Mexico congressional  
2 delegation urge the United States environmental protection  
3 agency and New Mexico's department of environment to enforce  
4 regulations and compliance orders for the cleanup of  
5 contaminated sites; and

6 BE IT FURTHER RESOLVED that the New Mexico congressional  
7 delegation work to fully fund efforts to enhance and develop  
8 clean, innovative and life-affirming science and technology in  
9 order to clean up radioactive, toxic and hazardous materials at  
10 Los Alamos national laboratory; and

11 BE IT FURTHER RESOLVED that the New Mexico congressional  
12 delegation work to ensure that funding is available to  
13 establish state-of-the-art training programs in radioactive,  
14 toxic and hazardous waste cleanup to prepare local workers for  
15 cleanup efforts at Los Alamos national laboratory; and

16 BE IT FURTHER RESOLVED that the New Mexico congressional  
17 delegation work to provide adequate federal funds to ensure  
18 compliance with the legally enforceable agreements and federal  
19 and state permits that oversee the cleanup; and

20 BE IT FURTHER RESOLVED that copies of this memorial be  
21 transmitted to the New Mexico congressional delegation, the  
22 United States department of energy, Los Alamos national  
23 laboratory, the United States environmental protection agency,  
24 the regional office of the United States environmental  
25 protection agency in Dallas, Texas, and New Mexico's department

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